

TELEPHONIC WITNESS STATEMENT

DATE: [Not Provided]

TIME: [Not Provided]

INTERVIEW OF: Representative Christopher Fierro

INTERVIEW BY: Detective Corporal Kenneth Buonaiuto
Rhode Island State Police Financial Crimes Unit

LOCATION: Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, Rhode Island 02857

SUBJECT: 38 Studios Investigation

1. Q. Hello?

A. Hi, this is Chris.

2. Q. Hi, Mr. Fierro, Corporal Buonaiuto, State Police.

A. How are you?

3. Q. How are you? Am I interrupting your seminar or – or do you have a few moments?

A. I can step out on the balcony.

4. Q. Okay. This – this shouldn't take too long.

A. Great.

5. Q. How are you today?

A. Well I mean it's sunny in Charleston and it's beautiful.

6. Q. Very nice. It's sunny up in here and beautiful too, so. You're - you're ...

A. That's good.

7. Q. You're – you're presently a -- Or you're, I'm sorry, you're – you're presently not a rep, is that correct?

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A. I'm sorry, you broke up. I'm presently what?

8. Q. Right now you're not a rep, is that correct?

A. That's correct.

9. Q. Okay. When did you hold your office, what were the dates?

A. Whatever the – I was elected in 2008 for a term that would have started in January of 2009, and, you know, ended right at the very - the same swearing in of uh, two thousand and – Wait, I'm sorry. [Indiscernible] Yeah, if I was there 2009, 2010.

10. Q. Okay. So – so complete ...

A. That – that whole term. I don't know the dates of, you know, when I was ...

11. Q. That's okay.

A. -- sworn in.

12. Q. Yeah, yeah, that's – that's fine. So a two-year period.

A. Correct.

13. Q. Okay. And what committees were you on during that time period?

A. Initially I was on the Corporations Committee, on the Municipal Government Committee. And then when Gordon Fox became Speaker, he put me on the Finance Committee probably March of 2010 for that last, you know, few months.

14. Q. Okay. Okay, and are you familiar with the Jobs Creation Guaranty Program?

A. Yup.

15. Q. Okay. And what – Did it come through the Finance Committee?

A. It did.

16. Q. Okay. And what can you tell me about it?

A. I don't remember a lot. I know that, you know, we – we had it as a freshman

member on the Finance Committee, I wasn't really privy to anything, you know, any special information, I sat there with the committee during a public hearing, and I think it was just related to us, but it was an expansion of an existing program, you know, that, ... whatever is on the record from that committee hearing was the extent of what I heard about it.

17. Q. And – and who spoke during those – the hearings, who – who came forward to speak?

A. Oh. I'm sure the chairman did. I don't know if – if a member spoke on behalf of the bill, I couldn't remember that.

18. Q. And who was the chairman at the time?

A. Steven Costantino.

19. Q. Okay. Did – did any – any non-reps talk, did people come in and did – you know, pro and – or, or con for the bill?

A. I don't recall. I don't – I don't believe so.

20. Q. Okay. No members from EDC?

A. I don't believe so. But, I mean, I know that the – the hearing was televised, so there must be a record of it, but I don't – I don't remember, you know, certainly not a lobbyist, that would have stuck out to me, ... a State program, and, you know, he might have taken testimony from – from the Finance Committee, you know, Chair, Reynolds Ferland may have ... on it about just kind of the structure. But I really don't recall anyone – You know, it didn't – certainly didn't raise my – any feathers with me if anyone weird was testifying on it.

21. Q. Okay. And then how does that work, do you actually – you ... vote as committee members?

A. Yeah, there probably was a roll call vote. I mean, generally that's how it worked where they – the clerk of the committee would be the roll and people would vote yay or nay.

22. Q. All right. Do you remember that particular vote yourself, or?

A. I believe I voted for it, but I honestly only know that because I looked after it became kind of a controversial issue.

23. Q. Mm hmm. All right. And so you – you looked at the actual committee vote versus the hou- floor vote, is that right?

A. R- Yeah, I believe I did.

24. Q. Okay. All right.

A. But I ...

25. Q. W...

A. So ...

26. Q. Was any of the conversation during these committee discussions regarding any particular businesses that were interested in tapping into any of these funds?

A. Not that I heard of at all.

27. Q. Okay. Any – any conversations off the record about any businesses?

A. No.

28. Q. Okay. Okay, and then once it got to the floor, how – how does that work? Who presents the bill?

A. Jesus, I – I honestly couldn't recall whether it was the chairman or the bill sponsor, I'm not sure who else prompted the bill.

29. Q. Okay.

A. It – It – And I'm not trying to be difficult, but I think it passed, you know, this time four years ago and I was a, a freshman member; we were doing a budget, and 100 bills at the end of the year, and I was worried about re-election, so I – I know that you – you know, I was

paying attention while we were doing it: we were also doing 100 other things, so I don't – I don't honestly recall, you know, that floor speech. And my memory of it's been tainted by what I read in the Journal about it in the preceding four years.

30. Q. Okay. Um, ...

A. So the ...

31. Q. Okay. Do you – When was the first time you heard about 38 Studios?

A. I think it was, you know, after the session adjourned, and, you know, it became an issue with the gubernatorial debate.

32. Q. Okay.

A. That was when it kind of got on my radar. You know, I – I think that one representative spoke about it on the floor and maybe eluded to, you know, everyone knew what it was. Again, I was a freshman rep, I – I wasn't sure what she was talking about at that point.

33. Q. Okay.

A. And I – And I don't know that – that that's not honestly tainted by having re-read that and recalled it from, you know, Journal articles over the last couple of years.

34. Q. Mm hmm. And now that we know, we know now, do you feel that maybe you and other didn't – weren't provided all the information that would have been necessary for you to make a, you know, a logical and educational educated vote?

A. Yeah, absolutely.

35. Q. Okay. And what type of information do you think they – was with- withheld from you?

A. Well, I mean if, if everyone – If anyone knew that this was for one company and that was presented to me, I would have probably voted differently or had more questions. But

it was really presented as a – as an expansion of this program that, you know, mo- I think we -- The thumbnail ... what I got was that this was going to create jobs, it wasn't, you know, that this was going to one entity.

36. Q. Okay.

A. And the existing program that we expanded did go to a bunch of different entities, so I felt like it was a good assumption that – that this was just going to be a good thing, not that this was going to, you know, do something for one company.

37. Q. Okay. Do you – do you know anybody at 38 Studios or?

A. I don't. After I left the legislature, I went to – I went to work for Congressman Cicilline as his district director and I toured it briefly with him.

38. Q. Okay.

A. But – but it was totally, you know, there was no [Indiscernible] to that, I – I think a lot of people toured it after that. We went, walked through with Tom Zaccagnino – I think his name's Tom – You know, we were probably in and out of there in under a half-hour, as well kind of between when they – they got that stage framed out and – and when they folded ...

39. Q. Mm hmm.

A. -- you know, it's probably March of 2012, I would guess.

40. Q. And, and what was the purpose of that – that tour?

A. I think they – they just invited us to the u- to tour it, and that, you know, the Congressman felt it was a, a local business; it was before there was kind of controversy [phonetic] – controversy about them defaulting. And so we were invited and we just toured as a, you know, as I think he does for any other – any other large employer like that in the – in the district, it was kind of a, a interest in it from a public perspective.

41. Q. Did Congress-- Congressman Cicilline have any input on them coming to Rhode Island or did he -- did he assist in any way?

A. No, not at all. And ... and my relationship and employment with him was well after the fact of the -- of, you know, it being on the ground and in Rhode Island.

42. Q. Mm hmm. Okay.

A. So I can just speak to that tour.

43. Q. All right. I'm losing track of whether I asked you this particular question. Do you know Michael Corso?

A. I d- I do not.

44. Q. Okay. You know who he is now.

A. I know who he is now. I don't think I've ever met him. If I did, it was in passing at the State House. But I'm pretty sure I've never even met him.

45. Q. Okay. Anything else I haven't asked you - you think is important to, you know, ...

A. No, I -- I mean I'm happy to help. I -- I apologize, it's four years since I've -- I was up there, so I'm really not, you know, -- I, I don't remember a lot of the stuff the stuff that I probably should. But um, it's -- it's just one of those things that the flurry at the end of the session, you know, that -- that would be my general complaint with how our government has worked, but.

46. Q. Mm hmm.

A. You know. I'm, I'm happy to take your call if you have more questions or if you need anything.

47. Q. All right. And if anything comes to mind, I have -- we haven't spoken about that you think is important, if you can give me a call back. And you have my telephone number still, is that right?

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A. Yes I do, sir.

48. Q. Excellent. All right. I thank ...

A. Okay?

49. Q. Yes. Yup.

A. All right.

50. Q. I thank you ...

A. Thank you.

51. Q. -- very much, and I apologize for dragging you out of your conference.

A. No, no, no, no problem.

52. Q. Okay. You have a good afternoon.

A. Take care.

53. Q. Bye bye.

A. You as well. Bye.

STATEMENT TAKEN BY:

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